



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

Agency: Department of Social and Health Services, Aging and Disability Services Administration

- ☒ **Preproposal Statement of Inquiry was filed as WSR 10-04-112** ; or
☐ **Expedited Rule Making--Proposed notice was filed as WSR** ; or
☐ **Proposal is exempt under RCW 34.05.310(4).**

- ☒ **Original Notice**
☐ **Supplemental Notice to WSR**
☐ **Continuance of WSR**

Title of rule and other identifying information: (Describe Subject)

The department is proposing amendments to the following sections: WAC 388-101-3000 Definitions, WAC 388-101-3050 Application for initial certification; WAC 388-101-3220 Administrator responsibilities and training; WAC 388-101-3250 Background checks Washington state

The department is proposing the following new sections:

WAC 388-101-3245 Background check-General; WAC 388-101-3253 National fingerprint background checks-Required; WAC 388-101-3255 Background checks-Provisional hire-Pending results; WAC 388-101-3258 Training requirements for staff hired before January 1, 2011; WAC 388-101-3302 Certified community residential services and supports-General training requirements

Hearing location(s):

Office Building 2 - Auditorium
 (DSHS Headquarters)
 1115 Washington
 Olympia, WA 98504
 Public parking at 11th and Jefferson. A map is available at:
<http://www1.dshs.wa.gov/msa/rpau/RPAU-OB-2directions.html>
 or by calling 360-664-6094.

Date: **June 22, 2010** Time: **10:00 a.m.**

Submit written comments to:

Name: DSHS Rules Coordinator
 Address: PO Box 45850, Olympia WA, 98504-5850
 Delivery: 4500 – 10th Ave. SE, Lacey, Washington 98503
 E-mail: DSHSRPAURulesCoordinator@dshs.wa.gov
 Fax: (360) 664-6185

by
5 p.m. on June 22, 2010

Assistance for persons with disabilities: Contact Jennisha Johnson, DSHS Rules Consultant by June 8, 2010

TTY (360) 664-6178 or (360) 664-6094 or
 by e-mail at johnsjl4@dshs.wa.gov

Date of intended adoption: Not earlier than June 23, 2010
 (Note: This is **NOT** the **effective** date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The purpose of this proposed rule making is to implement Chapters 74.39A and 18.88B RCW as codified from Initiative Measure No. 1029 and Engrossed Second Substitute House Bill 2284 (E2SHB 2284) Chapter 361, Laws of 2007.

Highlights of proposed changes:

- Revisions to be consistent with the training requirements in Chapter 388-112 WAC.
- Revisions to implement the finger print-based background check requirements effective January 1, 2012.
- Clarify requirements in the criminal history background check section.

Reasons supporting proposal:

To have the rules comply with the statutes referenced above.

Statutory authority for adoption: Chapter 71A.12 RCW

Statute being implemented: Chapter 71A.12 RCW

Is rule necessary because of a:

- | | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

DATE

April 27, 2010

NAME (type or print)

Katherine Vasquez

SIGNATURE

TITLE

DSHS Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: May 03, 2010

TIME: 9:30 AM

WSR 10-10-079

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Department of Social and Health Services

- ☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... John Gaskell	P.O. Box. 45600, Olympia, WA 98513	(360) 725-3210
Implementation.... Lori Melchiori	P.O. Box. 45600, Olympia, WA 98513	(360) 725-2404
Enforcement..... Lori Melchiori	P.O. Box. 45600, Olympia, WA 98513	(360) 725-2404

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☒ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name: John Gaskell, Program Manager

Address: P.O. Box 45600 Olympia, WA 98504-5600

phone (360) 725-3210

fax (360) 438-7903

e-mail gaskeiw@dshs.wa.gov

☐ No. Explain why no statement was prepared.

Is a cost-benefit analysis required under RCW 34.05.328?

☒ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: John Gaskell, Program Manager

Address: P.O. Box 45600 Olympia. WA 98504-5600

phone (360) 725-3210

fax (360) 438-7903

e-mail gaskeiw@dshs.wa.gov

☐ No: Please explain: